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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,022	06/20/2001	Barbara Rae Ryan	52493.000179	3438

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EXAMINER
NGUYEN, MINH CHAU

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/884,022	RYAN, BARBARA RAE
	Examiner	Art Unit	
	MINH-CHAU N. NGUYEN	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All · b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>09/20/01</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. Claims 1-26 are presented for examination.

2. Applicant amended the claims to overcome the rejection under the 35 U.S.C. 101. It makes the scope of the claims is changed. Before the amendment, the method and system as claimed can be done by a person pen or pencil and on papers. However, after the amendment, the method and system must be done by a processing (i.e. computer). Therefore, the scope of the claims is clear and overcome the rejection under the 35 U.S.C. 101 is withdraw.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-5,7-11,13-18,20-24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redmond (US 6,370,139 B2), in view of Perri, III et al. (Perri III) (US 2001/0020231 A1).

4. Regarding claim 1, Redmond teaches a method for reducing unwanted communications via a multiple communication channels using a processing system, the method comprising the step of:

establishing a contact with a consumer (i.e. the central controller 18 contacts/communicates with the message data generator 32 (i.e. computer is used by a consumer) via the communication interface 34) (Col. 4, L. 42-48; and Col. 8, L. 29-40; and Col. 10, L. 34-37);

offering a privacy service wherein the privacy service comprising reducing unsolicited communications for a combination of communication channels to the consumer (i.e. a centralized commercial transaction system which offers a privacy service to the consumer. The privacy service comprises removing unwanted communications/advertisements via mail, email and telephone) (Col. 1, L. 42-51; and Col. 7, L. 20-40; and Col. 8, L. 29-40; and Col. 18, L. 42-60);

processing consumer information, using the processing system, for a consumer selected combination of communication channels (i.e. the central controller 18 determines and stores a message of the consumer which has consumer information, for the consumer selected combination of communication channels (such as mail, email and telephone)) (Col. 7, L. 20-40; and Col. 9, L. 40-Col. 10, L. 7);

parsing consumer information (i.e. determining the content of the message data which includes the consumer information is equivalent to parsing consumer information) (Col. 9, L. 40-Col. 10, L. 7); and

forwarding parsed consumer information to one or more preference services to enable one or more marketers to purge one or more contact lists (i.e. the central controller 18 broadcasts the request message which has consumer

information to a plurality of database systems 22 which are marketing warehouse

systems to remove the consumer's email address, postal address and phone

number from their contact list) (Col. 2, L. 35-45; and Col. 7, L. 20-40; and Col. 10,

L. 37-55).

Redmond also teaches providing a "fill-in–the –blanks" text message on

the internet web page for the consumer to receive the privacy service (Col. 18, L.

25-37).

Redmond fails to teach enrolling the consumer via a single consumer

contact is an electronic form. However, Perri III, in the same field of endeavor

having closely related objectivity, teaches enrolling the consumer via a single

consumer contact is an electronic form (figure 4 A&B; and page 5, paragraph

[0065]).

Thus, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have incorporated Perri III's teachings of

enrolling the consumer via a single consumer contact is an electronic form, with

the teachings of Redmond in the system and method for providing information

dispersal in a networked computing environment, for the purpose of providing the

invention is adapted to communicate with and control a plurality of preselected

database systems that are related directly to an information request, so that

resources and time are not wasted by overly broad searches.

5. Regarding claim 2, Redmond and Perri III disclose the invention substantially as

claimed. Redmond teaches the contact comprises an inbound contact (i.e. the

message data generator 32 communicates with the central controller 18 for

uploading the user's message) (Col. 7, L. 20-40; and Col. 8, L. 30-40; and Col. 9,

L. 40-55).

6. Regarding claim 3, Redmond and Perri III disclose the invention substantially as

claimed. Redmond teaches the contact comprises an outbound contact (i.e. the

central controller 18 communicates with the database systems 22 to remove the

consumer information therefrom) (Col. 7, L. 20-40; and Col. 10, L. 37-55).

7. Regarding claim 4, Redmond and Perri III disclose the invention substantially as

claimed. Redmond teaches the step of offering privacy features further

comprises a step of offering one or more of products and services (i.e. a

centralized commercial transaction system which offers a privacy service to the

consumer. The privacy service comprises removing unwanted

communications/advertisements via mail, email or telephone) (Col. 1, L. 42-51;

and Col. 7, L. 20-40; and Col. 8, L. 29-40; and Col. 18, L. 42-60).

8. Regarding claim 5, Redmond and Perri III disclose the invention substantially as

claimed. Redmond teaches communication channels comprise email, telephone

and mail (Col. 7, L. 20-40).

9. Regarding claim 7, Redmond teaches a method for reducing unwanted

communications via multiple communication channels, the method comprising

the steps of:

      enabling a provider to establish a contact with a consumer to offer one or

more of product, service, advertisement and information to the consumer (i.e. the

central controller 18 contacts/communicates with the message data generator 32

(i.e. computer is used by a consumer) via the communication interface 34. a

centralized commercial transaction system which includes the central controller

18 offers a privacy service to the consumer. The privacy service comprises

removing unwanted communications/advertisements via mail, email and

telephone) (Col. 1, L. 42-51; and Col. 4, L. 42-48; and Col. 7, L. 20-40; and Col.

8, L. 29-40; and Col. 10, L. 34-37;and and Col. 18, L. 42-60);

      offering a privacy service to the consumer through the provider wherein

the privacy service comprises reducing unsolicited communications for a

combination of communication channels to the consumer (i.e. a centralized

commercial transaction system which offers a privacy service to the consumer.

The privacy service comprises removing unwanted

communications/advertisements via mail, email and telephone) (Col. 1, L. 42-51;

and Col. 7, L. 20-40; and Col. 8, L. 29-40; and Col. 18, L. 42-60);

      forwarding consumer information to a processor for processing consumer

information for a consumer selected combination of communication channels and

to enable one or more marketers to purge one or more contact lists (i.e. the central controller 18 broadcasts the request message which has consumer information to a plurality of database systems 22 which are marketing warehouse systems to remove the consumer's email address, postal address and phone number from their contact list) (Col. 2, L. 35-45; and Col. 7, L. 20-40; and Col. 10, L. 37-55).

Redmond also teaches providing a "fill-in–the –blanks" text message on the internet web page for the consumer to receive the privacy service (Col. 18, L. 25-37).

Redmond fails to teach enrolling the consumer via a single consumer contact with the provider is an electronic form. However, Perri III, in the same field of endeavor having closely related objectivity, teaches enrolling the consumer via a single consumer contact with the provider is an electronic form (figure 4 A&B; and page 5, paragraph [0065]).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Perri III's teachings of enrolling the consumer via a single consumer contact with the provider is an electronic form, with the teachings of Redmond in the system and method for providing information dispersal in a networked computing environment, for the purpose of providing the invention is adapted to communicate with and control a plurality of preselected database systems that are related directly to an

information request, so that resources and time are not wasted by overly broad

searches.

10. Regarding claim 9, Redmond teaches a method for reducing unwanted

communications via multiple communication channels using a processing

system, the method comprising the steps of:

establishing a contact with a provider (i.e. the message data generator 32

communicates with the central controller 18 via a communication interface 34 for

uploading the user's message) (Col. 7, L. 20-40; and Col. 8, L. 30-40; and Col. 9,

L. 40-55);

requesting a privacy service wherein the privacy service comprises

reducing unsolicited communications (Col. 2, L. 35-44; and Col. 7, L. 20-40; and

Col. 9, L. 40-Col. 10, L. 55);

Redmond also teaches identifying, using a processing system, a

combination of communication channels from which to reduce unsolicited`

communications and providing consumer information via a "fill-in–the –blanks"

text message on the internet web page (Col. 7, L. 20-40; and Col. 8, L. 4-30; and

Col. 18, L. 25-37).

Redmond fails to teach a single consumer contact with the provider is an

electronic form. However, Perri III, in the same field of endeavor having closely

related objectivity, teaches enrolling the consumer via a single consumer contact

with the provider is an electronic form (figure 4 A&B; and page 5, paragraph [0065]).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Perri III's teachings of enrolling the consumer via a single consumer contact with the provider is an electronic form, with the teachings of Redmond in the system and method for providing information dispersal in a networked computing environment, for the purpose of providing the invention is adapted to communicate with and control a plurality of preselected database systems that are related directly to an information request, so that resources and time are not wasted by overly broad searches.

11. Regarding claim 11, Redmond and Perri III disclose the invention substantially as claimed. Redmond teaches consumer information comprises a combination of email address data, telephone number data and mailing address data (Col. 7, L. 20-40).

12. Regarding claim 13, Redmond and Perri III disclose the invention substantially as claimed. Redmond teaches a step of identifying one or more consumer preferences regarding at least one of communication channel, type of communication and source of communication (i.e. at least one of communication channel is email, type of communication is unsolicited advertisements, and

source of communication is marketing groups) (Col. 1, L. 42-51; and Col. 7, L. 20-40; and Col. 9, L. 40-Col. 10, L. 7).

13. Claims 8, 10 are corresponding claims of claim 5. Therefore, they are rejected under the same rationale.

14. Claims 14-18 are corresponding system claims of method claims 1-5. Therefore, they are rejected under the same rationale.

15. Claims 20-24 are corresponding system claims of method claims 7-11. Therefore, they are rejected under the same rationale.

16. Claim 26 is a corresponding system claim of method claim 13. Therefore, it is rejected under the same rationale.

17. Claims 6,12,19,25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redmond and Perri III as applied to claims 1,9,14 and 22 above, and further in view of Smolen (5,915,243).

18. Regarding claim 6, Redmond and Perri III is relied upon for the disclosure set forth in the claim 1 rejection. Redmond teaches existing a system that allow consumer to supply a request message containing his/her personal information to a central controller, and have the central controller broadcast the message to a plurality of marketing warehouse database systems to request to remove his/her information from the database systems. This would give the consumer minimize

the time consuming and effort that he/she expend to keep away the unsolicited

ads (Col. 1, L. 25-50; and Col. 2, L. 35-45).

Redmond and Perri III fail to teach a step of providing one or more

consumer incentives. However, Smolen, in the same field of endeavor having

closely related objectivity, teaches a step of providing one or more consumer

incentives (Smole teaches delivering promotions to the customer on the basis of

an information profile of customer) (Col. 1, L. 4-16; and Col. 2, L. 50-65).

Thus, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have incorporated Smolen's teachings of a step

of providing one or more consumer incentives, with the teachings of Redmond in

the system and method for providing information dispersal in a networked

computing environment and the teaching of Perri III in the marketing system and

method, for the purpose of having a number of customers enroll the services or

systems for reducing unsolicited commercial from marketers.

19. Regarding claim 12, Redmond and Perri III is relied upon for the disclosure set

forth in the claim 9 rejection. Redmond teaches existing a system that allow

consumer to supply a request message containing his/her personal information

to a central controller, and have the central controller broadcast the message to a

plurality of marketing warehouse database systems to request to remove his/her

information from the database systems. Therefore, the consumer can minimize

the time consuming and effort that he/she expend to keep away the unsolicited

ads (Col. 1, L. 25-50; and Col. 2, L. 35-45).

Redmond and Perri III fail to teach a step of receiving one or more

consumer incentives. However, Smolen, in the same field of endeavor having

closely related objectivity, teaches a step of receiving one or more consumer

incentives (Smole teaches delivering promotions to the customer on the basis of

an information profile of customer. This is equivalent to the customer receives the

promotions) (Col. 1, L. 4-16; and Col. 2, L. 50-65).

Thus, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to have incorporated Smolen's teachings of a step

of receiving one or more consumer incentives, with the teachings of Redmond in

the system and method for providing information dispersal in a networked

computing environment and the teaching of Perri III in the marketing system and

method, for the purpose of having a number of customers enroll the services or

systems for reducing unsolicited commercial from marketers.

20. Claims 19, 25 are corresponding system claims of method claims 6, 12.

Therefore, they are rejected under the same rationale.

Response to Arguments

21. Applicant's arguments with respect to claims 14-19, 20-21, and 22-26 have been

    considered but are moot in view of the new ground(s) of rejection.

22. There is no change ground(s) of rejection. It is just to restate the ground(s) of

    rejection to the advertent error in response to the issue raised by Applicant.

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MINH-CHAU N. NGUYEN whose telephone number is

(571)272-4242. The examiner can normally be reached on Monday-Friday from 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VALENCIA M. WALLACE can be reached on (571)272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner: Minh-Chau Nguyen
Art Unit: 2145

VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER